



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Paper No. 11

SCHNECK & SCHNECK
P.O. BOX 2-E
SAN JOSE CA 95109-0005

COPY MAILED

MAY 27 2004

OFFICE OF PETITIONS

In re Application of
Gary Ferrell
Application No. 09/614,485
Filed: July 10, 2000
Title of Invention: METHOD AND
DEVICE FOR MEASURING
CAVITATION

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 10, 2004, to revive the above-identified application.

This above-identified application became abandoned for failure to timely file a reply to a non-final Office Action mailed April 10, 2001. The non-final Office Action set a three (3) month shortened statutory period for reply. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on July 11, 2001. A Notice of Abandonment was mailed on November 20, 2001.

The requirements for a grantable petition under 37 CFR §1.137(b) have been met. This petition is hereby **Granted**.

Petitioner submitted a request for a three (3) month extension of time with the instant petition. However, pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988) Petitioner's six (6) month maximum extendable period expired on October 11, 2001. Petitioner is ineligible for any extensions of time. Thus, deposit account no. 19-0590 will be credited with the \$950.00 submitted to obtain the three month extension of time.

This application is being forwarded to Technology Center 3600 for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (703)

306-0251.

Charlema R. Grant
Petitions Attorney
Office of Petitions